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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,386	11/15/2001	Joe Nathan Brown	AUS920010875US1	7328

7590	05/30/2006	EXAMINER

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ART UNIT	PAPER NUMBER

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

BEST AVAILABLE COPY

	Application No.	Applicant(s)
Notification of Non-Compliant Appeal Brief (37 CFR 41.37)	09/998,386	BROWN ET AL.
	Examiner	**Art Unit**	
	Maikhanh Nguyen	2176	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on *31 March 2006* is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file anamended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.

2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).

3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).

4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).

5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi))

6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).

7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).

8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).

9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).

10. ☒ Other (including any explanation in support of the above items):

see attached.

The Appeal Brief filed 03/31/2006 is not fully responsive because all pages 1-17 are

unintelligible. The entire text of the pages both claims and arguments cannot be read by the

Examiner.

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Reply to Office Action of 03/06/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
   Brown et al.   :
                : Before the Examiner:
Serial No: 09/998,386   :   Makkhanh Nguyen
                :
Filed: 11/15/2001   : Group Art Unit: 2176
                :
Title: APPARATUS AND METHOD : Confirmation No.: 7328
OF HIGHLIGHTING LINKS IN A :
WEB PAGE   :

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

    This is a Response to a Notice of Non-compliant Appeal Brief dated March 06, 2006.

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BRIEF FOR APPLICANTS - APPELLANTS

(I)

Real Party in Interest

The real party in interest is International Business Machines Corporation (IBM), the assignee.

(II)

Related Appeals and Interferences

There are no other appeals or interferences known to appellants, appellants' representative or assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(III)

Status of Claims

Claims 1, 3 - 10, 12, 14 - 21, 23, 25 - 32, 34, 36 - 43 and 45 have been finally rejected in an Office Action dated August 16, 2005. All the rejected claims are being appealed.

(IV)

Status of Amendment

No amendment was filed subsequent to the final rejection.

(V)

Summary of Claimed Subject Matter

The present invention, as claimed in independent claims 1 and 45 (method claims), 12 (a computer program product claim), 23 (an apparatus claim), 34 (a computer

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system claim), allows a user to make links embedded in a
Web page clearly recognizable. In accordance with one
embodiment of the invention, when a user is unable to
clearly recognize links embedded in a Web document, the
user may have the links highlighted by issuing a command
(see page 10, lines 25, to page 11, line 9 and page 11,
lines 17 - 23 see also Fig. 4 (i.e., highlight links button
420) and Fig. 6).

In accordance with another embodiment of the
invention, when a user is unable to clearly recognize links
embedded in a Web document, the user may have the links
highlighted by issuing a command. In this case, the links
are highlighted by duplicating the links and displaying the
duplicated links in another area (page 11, lines 24 - 27
and Fig. 6).

Note that the step-plus functions of Claims 1 and 45
and the means-plus functions of Claim 23 are the process
steps that occur when a user asserts highlight links button
420 and the processor of the system executes the processes
in Figs. 6 and 7.

(VI)

Grounds of Rejection to be Reviewed on Appeal

(1) Whether independent Claims 1, 12, 23, 34 and 45
were properly rejected under 102(b) as being anticipated by
Nielsen, and (2) whether dependent Claims 9, 20, 31 and 42
were properly rejected under 103 as being unpatentable over
Nielsen in view of Kimmel et al.

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(VII)

Arguments

Whether independent Claims 1, 12, 23, 34 and 45 were properly rejected under 102(b) as being anticipated by Nielsen

In considering a Section 102 rejection, all the elements of the claimed invention must be disclosed in a single item of prior art in the form literally defined in the claim. *Jamesbury Corp. v. Litton Indus. Products*, 756 F.2d 1556, 225 USPQ 253 (Fed. Cir. 1985); *Atlas Powder Co. v. Dupont*, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984); *American Hospital Supply v. Travenol Labs.*, 745 F.2d 1, 223 USPQ 577 (Fed. Cir. 1984).

Nielsen purports to provide a scheme to determine whether or not Web pages represented by links embedded in a displayed document are accessible before a user attempts to access the pages. To do so, Nielsen teaches that access to each Web page represented by an embedded link in a displayed Web document is automatically attempted as soon as the page is displayed. If there is no response within a certain period of time after an access has been attempted, then it is assumed that the Web page is inaccessible. Consequently, the appearance of the link is changed to alert the user that the Web page is inaccessible at the present time. The presumption is that an alerted user will not waste time attempting to access an inaccessible page.

But, Nielsen does not teach, show or suggest the step of highlighting links that are not easily identifiable in a displayed Web document upon user command as claimed.

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The Examiner stated that Nielsen discloses such step in the following passage: "when the user selects a particular text link anchor with mouse 44, the browsing system responds by attempting to retrieve the page pointed to by the link anchor ... all of the link anchor 202 are shown as underlined text; col. 3, lines 41 – 48" (see first paragraph on page 3 of the Office Action).

As far as Applicants can understand, the quoted passage merely states that when a link is asserted, an attempt is made to access the Web page referred to by the link. This is generally how one accesses a Web page from an embedded link in a displayed document.

The quoted passage further states that links in a displayed Web document are displayed as underlined text. This is one of the customary manners of displaying embedded links in a document.

Applicants do not see how the teachings in the quoted passage are going to help a "user who has problems identifying links that are embedded in a displayed document from regular underlined passages in the document, for example. By contrast, the present invention allows a user to issue a command and **all the embedded links** in the document are highlighted allowing the user to distinguish the links from regular underlined passages in the document.

Hence, Applicants submit that the independent claims (i.e., Claims 1, 12, 23, 34 and 45), as well as their dependent claims, which all incorporate the step mentioned above, are not anticipated by Nielsen.

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Whether dependent Claims 9, 20, 31 and 42 were properly rejected under 103 as being unpatentable over Nielsen in view of Kimmel et al.

Notwithstanding the fact that the independent claims are not anticipated by Nielsen, Applicants submit that dependent Claims 9, 10, 20, 21, 31, 32, 42 and 43 are patentable over Nielsen in view of Kimmel et al.

It is well settled that in considering a Section 103 rejection, the subject matter of the claim "as a whole" must be considered and analyzed. In the analysis, it is necessary that the scope and contents of the prior art and differences between the art and the claimed invention be determined. *Graham v. John Deere Co.*, 383 U.S. 1 (1966).

Kimmel et al. teach a method for parallel selection of URL's. In accordance with the teachings of Kimmel et al., when a Web page containing embedded links is displayed, a user may select a plurality of these embedded links for concurrent processing. Concurrent processing in this case includes concurrently displaying pages associated with the selected links in a plurality of respective browser windows; concurrently printing pages associated with the selected links; or concurrently downloading pages associated with the selected links.

However, Kimmel et al. do not teach the step of duplicating links and displaying the duplicated links in a different area as claimed by the Examiner.

Thus, even if Nielsen were to teach the steps alleged by the Examiner, combining the teachings of Nielsen with those of Kimmel et al., would not teach the limitations in Claim 9, for example. Since Claims 20, 31 and 42 include

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the limitations of Claim 9, Applicants submit that they, along with their dependent claims, should be allowable as well.

As the references, neither alone nor in combination, teach, show or suggest the claimed invention, Applicants submit that all the pending claims in the Application are allowable. Hence, Applicants respectfully request allowance and passage to issue of the claims in the application.

Respectfully Submitted

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(VIII)

Claims Appendix

1.   (Previously presented) A method of making links that
      are not easily identified in a displayed Web document
      by a user to be clearly recognizable comprising the
      steps of:

      displaying the Web document; and

      upon user command, highlighting the links.

2.   Canceled.

3.   (Previously presented) The method of Claim 1 wherein
      highlighting the links includes the step of having the
      links flash.

4.   (Previously presented) The method of Claim 1 wherein
      highlighting the links includes the step of displaying
      the links in a different color.

5.   (Previously presented) The method of Claim 1 wherein
      highlighting the links includes the step of displaying
      the links using a larger font.

6.   (Previously presented) The method of Claim 1 wherein
      highlighting the links includes the step of displaying
      the links using a different font.

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7. (Previously presented) The method of Claim 1 wherein highlighting the links includes the step of emboldening the links.

8. (Previously presented) The method of Claim 1 wherein highlighting the links includes the step of enlarging the font used to display the links including the links target area.

9. (Previously presented) The method of Claim 1 wherein highlighting the links includes the step of duplicating the links and displaying the duplicated links in a different area.

10. (Original) The method of Claim 9 wherein when a duplicated link is selected, its corresponding link in the Web document flashes or is emboldened or is displayed in a different color or is displayed using a different font or a larger font.

11. Canceled.

12. (Previously presented) A computer program product on a computer readable medium for making links that are not easily identified in a displayed Web document by a user to be clearly recognizable comprising:

code means for displaying the Web document; and

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code   means   for   highlighting   the   links   upon   user
command.

13.   Canceled.

14.   (Previously presented) The computer program product of
       Claim 12 wherein the highlighting code means includes
       code means for having the links flash.

15.   (Previously presented) The computer program product of
       Claim 12 wherein the highlighting code means includes
       code means for displaying the links in a different
       color.

16.   (Previously presented) The computer program product of
       Claim 12 wherein the highlighting code means includes
       code means for displaying the links using a larger
       font.

17.   (Previously presented) The computer program product of
       Claim 12 wherein the highlighting code means includes
       code means for displaying the links using a different
       font.

18.   (Previously presented) The computer program product of
       Claim 12 wherein the highlighting code means includes
       code means for emboldening the links.

19.   (Previously presented) The computer program product of
       Claim 12 wherein the highlighting code means includes

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code means for enlarging the font used to display the
links including the links' target area.

20. (Previously presented) The computer program product of
Claim 12 wherein the highlighting code means includes
code means for duplicating the links and displaying
the duplicated links in a different area.

21. (Original) The computer program product of Claim 20
wherein when a duplicated link is selected, its
corresponding link in the Web document flashes or is
emboldened or is displayed in a different color or is
displayed using a different font or a larger font.

22. Canceled.

23. (Previously presented) An apparatus for making links
that are not easily identified in a displayed Web
document by a user to be clearly recognizable
comprising:

means for displaying the Web document; and

means for highlighting the links upon user command.

24. Canceled.

25. (Original) The apparatus of Claim 23 wherein the
highlighting means includes means for having the links
flash.

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26.   (Original)   The   apparatus   of   Claim   23   wherein   the
        highlighting means includes means for displaying the
        links in a different color.

27.   (Original)   The   apparatus   of   Claim   23   wherein   the
        highlighting means includes means for displaying the
        links using a larger font.

28.   (Original)   The   apparatus   of   Claim   23   wherein   the
        highlighting means includes means for displaying the
        links using a different font.

29.   (Original)   The   apparatus   of   Claim   23   wherein   the
        highlighting means includes means for emboldening the
        links.

30.   (Original)   The   apparatus   of   Claim   23   wherein   the
        highlighting means includes means for enlarging the
        font used to display the links including the links
        target area.

31.   (Original)   The   apparatus   of   Claim   23   wherein   the
        highlighting means includes means for duplicating the
        links   and   displaying   the   duplicated   links   in   a
        different area.

32.   (Original)   The   apparatus   of   Claim   31   wherein   when   a
        duplicated link is selected, the corresponding link in
        the   Web   document   flashes   or   is   emboldened   or   is

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displayed in a different color or is displayed using a
different font or a larger font.

33. Canceled.

34. (Previously presented) A computer system for making
     links that are not easily identified in a displayed
     Web document by a user to be clearly recognizable
     comprising:

     at least one memory device for storing code data; and

     at least one processor for processing the code data
     for displaying the Web document and for highlighting
     the links upon user command.

35. Canceled.

36. (Previously presented) The computer system of Claim 34
     wherein highlighting the links includes having the
     links flash.

37. (Previously presented) The computer system of Claim 34
     wherein highlighting the links includes displaying the
     links in a different color.

38. (Previously presented) The computer system of Claim 34
     wherein highlighting the links includes displaying the
     links using a larger font.

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39. (Previously presented) The computer system of Claim 34 wherein highlighting the links includes displaying the links using a different font.

40. (Previously presented) The computer system of Claim 34 wherein highlighting the links includes emboldening the links.

41. (Previously presented) The computer system of Claim 34 wherein highlighting the links includes enlarging the font used to display the links including the links target area.

42. (Previously presented) The computer system of Claim 34 wherein highlighting the links includes duplicating the links and displaying the duplicated links in a different area.

43. (Original) The computer system of Claim 42 wherein when a duplicated link is selected, its corresponding link in the Web document flashes or is emboldened or is displayed in a different color or is displayed using a different font or a larger font.

44. Canceled.

45. (Previously presented) A method of making links that are not easily identified in a displayed Web document by a user to be clearly recognizable comprising the steps of:

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displaying the Web document in a browser, the Web
document having a plurality of links displayed each in
a target area;

enabling user command to highlight the links by
asserting an icon in the browser, the icon being able
to toggle on to highlight the links and to toggle off
to de-highlight the links; and

enlarging the plurality of links and the target areas
upon user command to highlight the plurality of the
links, the user command including toggling on the
icon.

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(IX)
Evidence Appendix

None.

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(X)
Related Proceedings Appendix

None.

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